## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA HAMMOND DIVISION AT LAFAYETTE

CAROLYN G. KOCHERT, M.D.,	)
Plaintiff,	)
v.	) Cause No. 4:05CV0040AS
ADAGEN MEDICAL INTERNATIONAL, INC., a Georgia Corporation, and	) ) )
NORTH AMERICAN MEDICAL	
CORPORATION,	)
Defendants.	, )

## MEMORANDUM, ORDER & OPINION

The Court dismissed the Plaintiff's complaint for improper venue pursuant to Fed. R. Civ. P. 12(b)(3) on October 11, 2005. The Plaintiff subsequently filed a motion to reconsider and a motion to clarify her motion to reconsider.<sup>1</sup>

The motion to reconsider is granted only to the following extent: the essential holding of the Court's October 11, 2005 order was that this Court is not the proper venue for the Plaintiff's cause of action. That essential holding shall remain unchanged. However, the Court does not wish to opine on the proper *forum* for this dispute, and any statement contained in the October 11, 2005 order that could be read as doing so should be disregarded. Therefore, this order is to be read as a clarification of the order dismissing Plaintiff's complaint.

SO ORDERED.

Date: November 10, 2005

S/ ALLEN SHARP

ALLEN SHARP, JUDGE

UNITED STATES DISTRICT COURT

<sup>&</sup>lt;sup>1</sup>Plaintiff's motion to clarify her motion to reconsider (Docket No. 32) is GRANTED.